



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/186,856    11/05/98    GORDON    M    GOR-001

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65 WOODS END ROAD  
STAMFORD CT 06905

QM12/0203

EXAMINER

NGUYEN, B

ART UNIT

PAPER NUMBER

3713

DATE MAILED:

02/03/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

09/186,856

Applicant(s)

.GORDON ET AL.

Examiner

Binh-An D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 November 1998.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 14) ☒ Notice of References Cited (PTO-892)
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 17) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18, 20, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Naka et al. (5,405,151).

Naka et al. teach a multiplayer electronic game for use with a processing apparatus having a graphical display and input means for receiving input from at least two players simultaneously, comprising player location means for associating a game location with each player; split screen means for dividing the graphical display into separate portions of each player; split screen means being responsive to player location means such that when two players' game locations are within a preset range, the separate portions of the graphical display for the two players are merged into a single portion of the graphical display, and when the two players' game locations are outside

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the preset range, the graphical display for the two players is split into separate portions; joint action means for requiring at least two players to act jointly with each other at certain points in the game; individual action means for requiring said at least two players to act individually at certain points in the game; joint action means require at least two players to act jointly in separate locations while said split screen means divides the display into separate portion for each player; joint action means requires at least two players to act jointly in the same location while said split means merges the display into a single portion; no player can complete the game without all players also completing the game; character generator means for generating a separate character or pointer for each player; joint action required by said joint action means includes a plurality of different kinds of joint actions; cooperative action means for requiring the two players to act cooperatively with each other. See Figures 7, 25A-30, 41, and 42; column 2, lines 6-34; column 5, lines 25-61; column 17, lines 3-44; and column 18, lines 65 to column 24.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naka et al. as applied to claim 18 above, and further in view of Logg (Re 35,314).

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Naka et al. teach all limitations in claim 18. Logg teaches cooperative action means includes sharing resources to other players, see column 11, lines 46-47 and column 12, lines 1-20. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Naka et al.'s with a multi-player video game of Logg to come up with a variety of cooperative actions in a multiplayer video game.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D Nguyen whose telephone number is 703-305-5713. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 703-308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3580 for regular communications and 703-308-7768 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

BN  
January 25, 2000

JESSICA HARRISON  
PRIMARY EXAMINER